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STUDENT FITNESS TO STUDY PROCEDURE

# Key Details

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| **POLICY TITLE** | Student Fitness to Study Procedure |
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| **APPROVING BODY** | Academic Board via LTSEC |
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| **OUTCOME OF EQUALITY IMPACT ASSESSMENT** |  |
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| **IMPLEMENTATION DATE** | 00 Month 0000 |
| **POLICY OWNER (JOB TITLE)** | Director of Student Services |
| **UNIT / SERVICE** | Student Services |
| **CONTACT EMAIL** | studentservices@cardiffmet.ac.uk |

# Version Control

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| **VERSION** | **DATE** | **REASON FOR CHANGE** |
| 2.1 | 25 May 2022 | *- Clarity on who can initiate the process*  *- Improved communication to students*  *- Clarity on timelines for actions*  *- Clarity on available support for students* |
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Fitness to Study Procedure

# Introduction

## Fitness to Study (FtS) is a collaborative process between a student, their academic team and student support staff designed to ensure that students are able to achieve their academic potential while also being a positive member of the community of Cardiff Met. The process is designed to determine whether at a given time, based on the available evidence, a student is fit to meet the academic and/or behavioural standards required by the University. It does not make any long-term judgements about a student’s capability or suitability for a course of study.

## The process focusses on supporting students to take positive action to address concerns over academic engagement, or behaviour which disrupts the ability to study of the student themselves or their fellow students.

## Fitness to Study is designed for use with students whose personal circumstances or health conditions are affecting their ability to study. It is not to be used to address academic failure where there are no compounding issues. It is not a substitute for Student Disciplinary or Fitness to Practise processes, either of which would take precedence should a student be subject to more than one university process.

## Where a student is not engaging for unknown reasons, they should be referred into the Student Retention Team through the appropriate route.

## The maximum sanction available under the Fitness to Study process is suspension of studies for the remainder of an academic year, with conditions attached to a student’s re-enrolment. Students cannot be permanently withdrawn from the University under Fitness to Study.

## The process has three stages, each escalating in formality and seriousness according to the issues which are identified. Although usually a student will begin the process at the beginning, it is permissible to move a student straight to Stage 3 if, in the opinion of the Director of Student Services, they meet the criteria set out in section 4.1 below, or there are other serious immediate concerns.

## The process will usually be held with the full participation of the student, but if the student withdraws their participation without offering a satisfactory explanation, it can proceed in their absence, including to a Stage 3 Panel decision.

# Emerging Concerns - Stage 1

## Stage 1 can be initiated by a Personal Tutor, Programme Director, Halls Manager or Student Wellbeing Adviser.

## Criteria

## The examples listed below are illustrative of the types of criteria which might trigger the process. A student does not have to meet all criteria in order for it to be started.

### Student has failed to attend classes for a period of 2-4 weeks and/or has failed to submit an assessment without Mitigating Circumstances.

### Persistent reliance on Mitigating Circumstances or Self-Certification to manage assessments.

### Failure to engage with agreed Reasonable Adjustments and/or support agreed between the student and the university.

### Student is displaying concerning and/or disruptive behaviour in teaching, accommodation or other University locations which gives rise to concern, but which falls short of formal disciplinary.

## Action

### Personal Tutor, Programme Director, Accommodation Manager or other relevant staff member meets formally with the student to set out the concerns and reach agreement on improvements to be made, and the timeframe within which the improvement needs to occur.

### Students would normally be expected to make immediate improvements, but should be given a period of 2-4 weeks to show consistent change.

### The staff member who called the meeting should make a written note of what was agreed, which must be emailed to the student and copied to [fitnesstostudy@cardiffmet.ac.uk](mailto:fitnesstostudy@cardiffmet.ac.uk). The email should make the student aware that this meeting represents the first stage of the Fitness to Study process. Student Services will record this on the student’s case record.

### Should a student disclose a previously unknown disability, health or mental health issue, substance misuse problem, financial concern, or history of trauma (including sexual abuse or assault) then the student should be referred to the relevant team in Student Services for support instead of being entered into the Fitness to Study process.

### If the student meets the agreed improvements, then this should be formally confirmed to them in writing by the staff member who called the initial meeting and copied to [fitnesstostudy@cardiffmet.ac.uk](mailto:fitnesstostudy@cardiffmet.ac.uk). The process is then closed for this instance.

### If the student does not meet the agreed improvements, then they should be informed in writing by the person who initiated Stage 1 that they will be progressed to Stage 2.

# Formal Action Plan - Stage 2

## Criteria

## Failure to meet agreed improvements at Fitness to Study Stage 1

## N.B. if a student has not received written confirmation of the Stage 1 conversation, they will not be progressed to Stage 2. Stage 2 cannot be initiated without a Stage 1 conversation having taken place and been recorded.

## Action

### Programme Director contacts [fitnesstostudy@cardiffmet.ac.uk](mailto:fitnesstostudy@cardiffmet.ac.uk) to request that a student be moved formally to Stage 2, setting out the reasons why.

### The Senior Wellbeing Adviser/Head of Student Wellbeing checks that the student has been notified of Stage 1, and approves the move to Stage 2.

### Programme Director/Personal Tutor/Member of Accommodation staff will meet with the student along with a Wellbeing Adviser from Student Services.

### The student must be advised when invited to attend that the meeting represents the beginning of the second stage of the formal Fitness to Study process.

### A student will be given at least five working days’ notice of the time and date of the meeting and may be accompanied by a Students’ Union representative, support worker, guardian or family member.

### The meeting will agree actions to be taken by the student, which the Wellbeing Adviser will convert into a formal action plan, setting out expectations and timeframes for review and improvement. The plan will be shared with the student and relevant staff member. The action plan may include (this list is not exhaustive)

### Attendance requirements at taught sessions and/or wellbeing or support appointments

### Regular contact with Personal Tutor or other nominated member of staff

### Engagement with support such as online wellbeing or finance modules, academic or study skills sessions.

### Requirements about appropriate behaviours

### Details on submission of work and/or the process for Self-Certification or Mitigating Circumstances.

### The student must agree to the action plan, and may suggest ways in which they can demonstrate change, but agreed actions must be sufficient to ensure academic progress.

### A student will usually be given 6-8 teaching weeks to show consistent engagement with the improvements required in the action plan. These weeks may fall either side of academic holidays.

### The action plan will be circulated by the Wellbeing Adviser within five working days to the student, the Personal Tutor and Programme Director/Member of Accommodation staff. The master copy of the plan will be held by Student Services.

### The plan will be reviewed by relevant staff with the student at agreed intervals.

### If the student meets the required improvements, the plan will be concluded, and the student and relevant staff formally notified in writing by the Wellbeing Adviser that the process has closed.

### If the student does not meet the required improvement, they must be informed in writing that they will be progressed to Stage 3.

# Panel Hearing - Stage 3

## Criteria

## Failure to comply with the agreed action plan at Stage 2.

## Rapid emergence or escalation of concerning or troubling behaviours or health issues not previously addressed through a Stage 2 action plan, and which pose a risk to the student themselves or to the wider university community.

## Referral into the Fitness to Study process from a Risk Action Panel convened under another of Cardiff Met’s processes.

### In all circumstances, the Director of Student Services (or nominee in their absence) will make the decision on whether it is appropriate to move a student to this stage.

## Action – Initial Panel Meeting

### If, in the view of the staff members managing the Stage 2 process, the student has not complied with the agreed action plan, they will formally request that the Director of Student Services convene a Stage 3 Panel. The panel will have the power to:

### Allow the student to continue studying with no further interventions

### Extend the Stage 2 action plan either in length or scope

### Recommend a suspension of studies

### At this stage, the Students’ Union will be notified that the student is subject to a Stage 3 Fitness to Study process. The information shared with the Student’s Union will be confined to the student’s name, student number and the fact that they are subject to the process with the purpose of ensuring that the student’s interests are protected during the process. The student is free to refuse assistance from the Students’ Union.

### The Stage 3 Panel will be made up of the following staff members:

### Director of Student Services (or Head of Student Wellbeing if not available), who Chairs the panel

### Dean of School (or delegated representative from the School Leadership Team)

### Programme Director or Accommodation Services Manager if the issue is accommodation-related

### An independent member who holds an academic leadership position in another academic School

### The panel will be supported by either written evidence from, or the attendance at the meeting of:

### Wellbeing Adviser

### Personal Tutor

### Any other relevant staff member

### Registry Services will provide a recorder for the meeting.

### The panel will meet within ten working days of the student being notified of the transition to Stage 3 and will receive:

### A copy of the Stage 2 action plan annotated to show where it has not been met

### A written summary of interaction and engagement with the student

### The panel will not receive nor consider any medical documents. Their decisions will be based on assessing the risk as determined by the presenting behaviour.

### The panel will meet first of all without the student, and will discuss the information received. If they determine that suspension of studies is a probable outcome, they will then move to a meeting with the student.

## Action – Panel Meeting with Student

### The student’s meeting with the panel will take place as soon as practicable, and in any case no longer than five working days after the initial panel meeting. The student may be accompanied by:

### a Students’ Union representative

### a family member or guardian

### a support worker

### The supporter may not be another enrolled student, nor a formal legal representative. The student must notify the panel of the name of their companion at least one working day in advance of the meeting. The panel reserves the right to refuse an unsuitable companion.

### Ideally, the panel will meet with the student in person, but it may convene by Microsoft Teams or any other meeting facilitation platform provided by the University.

### The student will be provided with the same material that the panel has been able to review when they are invited to the meeting.

### In the meeting, the student will be able to offer any further mitigation or explanation for the situation which has arisen.

### The student’s companion may help them to remember points to raise, and may ask questions of the panel, but may not speak on the student’s behalf.

### If the student is unable to attend the panel because of illness, or does not indicate whether they are able to attend, the panel will reconvene on one further occasion only at a time agreed with the student. If the student fails to attend the reconvened meeting, the panel will proceed in their absence.

## Potential Outcomes

## Following the meeting with the student, the panel will make its final decision on the appropriate action.

### In general, a suspension of studies shall be recommended where:

### In the view of relevant academics, a student has already missed too much to be able to progress successfully to the next year and/or to award.

### In the view of the panel, allowing the student to continue to study at that time would not be in the best interests of the student and/or the wider student community.

### If the panel reaches the conclusion that the student’s studies shall be suspended, the student shall be notified in writing by Registry Services within two working days of the panel meeting. This will usually be via an attachment to an email, and a student will be deemed to have received the notification on the day it is sent. The notification will contain details of any conditions of re-enrolment and the process by which a student may appeal their suspension.

# Review for Re-enrolment

## Students suspended under Fitness to Study who wish to re-enrol must contact [fitnesstostudy@cardiffmet.ac.uk](mailto:fitnesstostudy@cardiffmet.ac.ukl) at least six weeks before their proposed re-enrolment date. A meeting between the student, relevant academic staff and student support staff will then be arranged, at which the student will be able to present evidence that they have met the required criteria for re-enrolment. If a student does not present credible evidence, then they will not be permitted to re-enrol.

## Where conditions have been imposed on a student’s re-enrolment, the Fitness to Study panel which enacted their suspension of studies will determine whether a student has met those conditions.

# Appealing a Suspension of Studies

## A student may appeal a suspension of studies on the following grounds:

## That they believe the university did not follow its processes as set out in this document, and that if it had there would be a substantial likelihood that a different outcome would have been reached.

## That they have information which was available to the Fitness to Study panel at the time, but which was not considered, and which if it had might have resulted in a different decision.

## Students may not introduce new information at the appeal stage.

## If a student wishes to appeal, they must do so in writing, setting out the detailed reasons why they believe they are entitled to appeal. Appeals must be submitted through the online appeals portal within 10 working days of the student being notified of their suspension.

## Registry Services will review all documentation in relation to the original decision, as well as the appeal letter, and will reach a recommendation within 10 working days of the appeal being received. Possible outcomes include

## To dismiss the appeal as not meeting one of the two above-outlined grounds for appeal

## To reinstate the student to study with no additional support

## To reinstate the student to study with a revised action plan

## To require a new Fitness to Study Panel to hear the case

## To uphold the original decision of the panel.

## This decision will then be communicated to the student in writing. If the appeal is dismissed or the original suspension is upheld, this letter will be a formal Completion of Procedures letter.

## Once the appeal stage has been completed, a student may submit a complaint to the OIA if they consider that due process has not been followed. Any such complaint must be submitted by sending a completed scheme application form together with all relevant information to the OIA within twelve months of the date on the “Completion of Procedures Letter” from the University on completion of its internal procedures. A scheme application form can be downloaded from the OIA website <https://www.oiahe.org.uk/students/> or by telephoning or writing to the OIA. The contact details for the OIA are as follows:

## OIA Second Floor, Abbey Wharf, 57-75 Kings Road, Reading, RG1 3AB

## Tel: 0118 9599813

## Email: [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk)

# Use of Information and Consent

## In line with the University’s general policy, only staff members who need to know will be informed that a student is subject to the Fitness to Study process.

## All information and documents relating to the process will be stored securely on university servers, and may not be shared nor passed on without the express consent of the student. Any hard copies made must be shredded as soon as the process is complete.

## Students are encouraged to share with their family or external support network that they are subject to the Fitness to Study process.

## At Stage 3, it may be considered that the risk to the student or the wider community is so great that consent is not required to inform a student’s nominated contact that they are subject to the Fitness to Study process, and are at risk of being suspended from the University. If this is deemed to be the case, it will be enacted in line with the University’s Statement on Disclosure of Information to Third Parties.

## Records of a Fitness to Study process will be held until the student either withdraws from study or completes their study successfully. After that, data will be held in line with the University’s data retention protocols.